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GENEVA FOR RMA

E.O. 12958: DECL: 01/30/2017
TAGS: [PREF](#) [PREL](#) [PHUM](#) [TH](#) [LA](#)
SUBJECT: THAI MOVE TO DEPORT HMONG LAO FROM NONG KHAI BUT
THEN BACK OFF

Classified By: AMBASSADOR RALPH BOYCE, REASON 1.4 (B, D)

11. (U) This is an action request. Please see para. 10.

12. (C) Summary. On January 30, the RTG attempted to refoule the 156 Lao Hmong at the Nong Khai detention facility. The male members of the group resisted deportation and a stand-off ensued that lasted most of the day. The Embassy, as well as other diplomatic missions and UNHCR, intervened with the Thai government at high levels. The RTG at the end of the day agreed to stop the deportation under the assumption that third country resettlement for the group would be possible. End summary.

13. (C) Embassy received reports early in the morning on January 30 that RTG authorities were taking steps to deport the 156 Lao-Hmong held at the Nong Khai Immigration Detention Center. There were indications the previous day that some development might be in the offing when U.S. refugee resettlement processing staff were denied entry into the facility, for reasons that were unclear, to conduct previously-scheduled interviews. Post attempted to clarify the situation with MFA and the NSC. On January 30, International Organization for Migration (IOM) and UNHCR staff present at Nong Khai reported that there was a heavy police presence and that Thai and Lao government officials were meeting to discuss "movement" of the Hmong. (After being invited by Thai officials to participate in the meeting, resettlement processing staff and a DHS interviewing officer also present at Nong Khai were instructed that they should not attend.) Post also began receiving emails and telephone calls from Hmong-Americans and a Hmong advocate, who were in cellphone contact with some of the Hmong and were told that a deportation seemed imminent.

14. (C) Reports from the Hmong-Americans and UNHCR staff stated that most of the Lao-Hmong women and children were moved onto one of three waiting buses with Laotian license plates by late morning. A reliable report in mid-afternoon said that the women and children on the bus mostly appeared calm and in good shape, but two women in an emotional state tried to get off the bus and were pushed back on. It is unclear what degree of force may have been used to move the women and children onto the bus. The reports also said that the Lao-Hmong men were resisting the deportation and had locked themselves into their cells. In response, the Thai authorities were reported to be trying to break into the cells and also using a white gas, possibly tear gas, and beatings in order to subdue the men.

15. (C) Upon hearing the reports, Embassy made a series of calls to the RTG to raise our serious concerns with this development and try to dissuade the Thai from carrying out

any deportation. The Ambassador reached MFA PermSec Krit while he was in a Cabinet meeting and asked him to look into the reports of deportation and treatment of the Hmong. Krit responded in the early afternoon that 40-50 of the Hmong were resisting deportation. He said that instructions had been given to Thai law enforcement and military personnel that no force should be used. Krit added that the Lao had not objected to third party monitoring by NGOs or Vientiane-based diplomats of a return of the Hmong group. (Comment. We do not think these continuing, vague reassurances from the Lao are adequate. End comment.) Ambassador responded that if the RTG went ahead with the deportation there would surely be a hail of criticism from the international community given that the Thai would have refoiled a considerable number of persons with UNHCR refugee status.

¶6. (C) Ambassador also spoke in the early afternoon with Secretary-General of the Council on National Security and

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former head of the Thai NSC Winai Phattiyakul and expressed serious concern about any deportation of the Hmong. Winai said he understood that the group had been deported in the morning as a result of long-standing negotiations with the Lao government. He indicated concern at the reports of gas and violence, and promised to look into them.

¶7. (C) In mid-afternoon, Ambassador sent a letter to Prime Minister Surayud which expressed deep concern about the reports of deportation and treatment of the Hmong. The letter also stated opposition to deportation given the Hmong's UNHCR refugee status and noted that any such action would draw wide international criticism. It asked the Prime Minister to reconsider the decision. The letter reported that the U.S. and other resettlement countries were interviewing the refugees for possible resettlement. The Ambassador also encouraged his Australian counterpart to send a similar message to the PM, which he did.

¶8. (C) Other Embassies expressed their concern during the day to the RTG. The Australian Ambassador also raised the issue with the Thai Head of Immigration and the German Ambassador, as chair of the EU, was drawing up a statement and discussed the issue with MFA. UNHCR discussed the matter in a meeting with the MFA.

¶9. (C) Late in the afternoon, MFA PermSec Krit informed the Ambassador that the deportation had been put on hold given information that the Hmong would be accepted for resettlement by third countries. Secretary-General Winai informed the Ambassador that Thai military Supreme Commander Boonsang had told Winai that tear gas had not been used and reports of the use of force were exaggerated. DHS and UNHCR staff at Nong Khai reported at the end of the day that the women and children had gotten off the bus and returned to the immigration detention facility. The buses waiting to transport them and the men were seen pulling away from the site. The New Zealand Ambassador was told by a high-ranking MFA official that the Thai decision to back off from deportation was a direct result of representations by the U.S. and Australian ambassadors.

¶10. (C) Action request. That the Thai moved off their intention to deport the Hmong due to opposition from the Hmong themselves and international pressure represents a successful outcome at this point. Given the need to continue to work with the Thai to find a solution, Embassy recommends minimalist press guidance along the following lines:

-- The USG is pleased that the Thai did not refoile the group of Lao Hmong at Nong Khai.

-- We hope that the RTG will work with the international community to find a durable solution for this group of refugees.

BOYCE